

**REMARKS/ARGUMENTS**

Upon entry of the present Amendment, Claims 1, 3, 6, 7, and 9 will have been amended, claims 2 and 4 cancelled, claims 5 and 8 withdrawn and claims 10-22 newly added. By the present Amendment and Remarks, Applicant respectfully submits that that the rejections have been overcome, and respectfully requests reconsideration of the May 19, 2006 Office Action and allowance of the present application at the Examiner's earliest convenience.

**Pending Claims**

Claims 1, 3, 6, 7, 9, and 10-22 are pending in the application. Of these claims, Claims 1, 3, and 6 are Independent claims and the remaining claims are dependent claims.

**Summary of the Official Office Action**

**Election/Restrictions**

Restriction to one of the following inventions under 35 U.S.C. 121 was required:

- I. Claims 1, 3, 6, 7, and 9 drawn to determining the reliability of metadata, classified in class 715, subclass 500.
- II. Claims 5, 8, and 9 drawn to retrieval of metadata, classified in class 707, subclass 3.

**Summary of the Rejections**

Claims 6-9 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1, 3, 6, 7, and 9 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 3, 6, 7, and 9 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claims 1, 3, 6, 7, and 9 were rejected under 35 U.S.C. 102(e) as being anticipated by Owen (20030217301).

**Response to Election/Restriction**

Applicant affirms the provisional election of Group I, claims 1, 3, 6, 7, and 9 made by Applicant's representative.

**Response to Rejection under 35 U.S.C. 101**

Applicant respectfully traverses the rejection of claims 6-9 as directed to non-statutory subject matter. More specifically, applicant traverses the rejection of claims 6 and 7.

According to the Office Action, claims 6-9 are drawn to functional descriptive material not claimed as residing on a computer-readable medium. Claims 6 and 7 are directed towards apparatuses, and thus, are not seen to have any relation to functional descriptive material not claimed as residing on a computer-readable medium. As such,

Applicant respectfully requests the rejection of claims 6 and 7 under 35 U.S.C. 101 be withdrawn.

With respect to claim 9, per the above amendments, Applicant has incorporated the Office Action's recommendation of embodying the program on a computer-readable storage medium. Per the above amendments, Applicant believes claim 9 meets statutory requirements, and Applicant respectfully requests the rejection of claim 9 under 35 U.S.C. 101 be withdrawn.

**Response to Rejection under 35 U.S.C. 112, Second Paragraph**

Applicant respectfully traverses the rejection of claims 1, 3, 6, 7, and 9 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

More specifically, according to the Office Action, whereas the claims recite adding the metadata to the edited multimedia content, the preambles of the claims all recite that the metadata is already a part of the multimedia. Thus, according to the Office Action, the point or true meaning of this step cannot be determined.

It appears the Office Action is treating the multimedia content referred to in the preambles and the edited multimedia content referred to in the claims as the same entity. The preambles reference an information processing method/apparatus for editing multimedia content that includes metatadata. On the other hand, the body of the claims reference a determination as to whether the metadata is usable for edited multimedia content, and if it is, adding the metadata to the edited multimedia content. Thus, the preambles refer to multimedia content, while the claims refer to edited multimedia

content. As such, the multimedia content of the preambles is not seen to be the same entity as the edited multimedia content in the body of the claims.

The Office Action also indicates that the claims recite a change in the reliability is written in the property of the metadata, and that is it is not clear whether the writing occurs before the method takes place, or during the step. In addition, according to the Office Action, the claims are incomplete for omitting the step of writing the property of the metadata.

In view of the above amendments, Applicant respectfully requests the rejection of claims 1, 3, 6, 7, and 9 under 35 U.S.C. 112, second paragraph, be withdrawn.

**Response to Rejection under 35 U.S.C. 112, First Paragraph**

Applicant respectfully traverses the rejection of claims 1, 3, 6, 7, and 9 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

More specifically, according to the Office Action, the claims contain subject matter, i.e., determining the change in reliability of the metadata, not described in the specification in such a way to enable one skilled in the art to which it pertains or with which it is most nearly connected, to make and/or use the invention.

In view of the above amendments, Applicant respectfully requests that the rejection of claims 1, 3, 6, 7, and 9 under 35 U.S.C. 112, first paragraph, be withdrawn.

**Response to Rejection under 35 U.S.C. 102(e)**

Applicant respectfully traverses the rejection of claims 1, 3, 6, 7, and 9 under 35 U.S.C. 102(e) as being anticipated by Owen (20030217031).

Turning to the specific claim language of the present application, amended independent Claim 1 is directed to an information processing method for editing multimedia content including metadata, the method including receiving operation information about an editing operation, reading reliability information from the metadata, determining, in accordance with the operation information and the reliability information, whether the metadata is usable for edited multimedia content edited by the editing operation, and adding the metadata to the edited multimedia content if the metadata is determined to be usable.

The present invention describes reading reliability information from metadata included in a multimedia content and evaluating whether the metadata is usable for an edited multimedia content based on information of an editing operation and the reliability information. If the metadata is determined to be usable, the metadata is added to the edited multimedia content.

Applicant respectfully submits that Owen fails to disclose at least the above-noted features of the present invention.

Owen is seen to describe an apparatus and method for automatically validating a database record before applying journal data to the record. More specifically, a database journal records journal entries where each journal entry includes a computed validation value based on the data and the metadata for the record before the record is changed in order to ensure the integrity of the journal entry before it is applied to the record in the database.

Nothing in Owen is seen to describe at least the foregoing feature of the present invention of evaluating whether metadata included in a multimedia content is usable for

an edited multimedia content, and if the metadata is determined to be usable, adding the metadata to the edited multimedia content.

According to the Office Action, paragraph 59 of Owen teaches receiving operation information about an editing operation. Applicant respectfully asserts that paragraph 59 is not seen to teach receiving operation information about an editing operation, but is seen to be nothing more than a summary of the preferred embodiment of Owen.

More specifically, paragraph 59 describes how a computed validation value represents the state of a record before changes are made to the record, how the validation value is stored as part of a data journal entry that reflects the changes made to the record, and that when the data journal entry is applied to the corresponding database record, a validation value for the record is computed using the same algorithm used to compute the validation value stored in the data journal entry. If the validation values match, then, according to Owen, there is a high level of confidence that the record is the same just before the changes reflected in the journal entry were made. There is nothing in paragraph 59 that is seen, even remotely, to disclose or describe the present invention's feature of determining whether metadata is usable for edited multimedia content based in accordance with information of an editing operation and reliability information read from the metadata.

Because Owen lacks at least the above-noted features of the present invention, Applicant submits that Owen fails to disclose each and every feature recited in amended Claim 1.

Claims 3, 6, 7, and 9 were rejected for essentially the same reasons as claim 1. As such, the argument set forth above with respect to claim 1 is applicable to the rejections

of claims 3, 6, 7, and 9. Therefore, because Owen lacks at least the above-noted features of the present invention, Applicant submits that Owen fails to disclose each and every feature recited in claims 3, 6, 7, and 9.

Newly added claims 10-22 depend from one of claims 1, 3, 6, 7. As such, claims 10-22 are believed allowable least for the reason that these claims depend from allowable base claims 1, 3, 6, and 7 and recite additional features that further define the present invention.

Accordingly, Applicant respectfully requests the Examiner reconsider and withdraw the rejections of Claims 1, 3, 6, 7, and 9 and indicate that these claims, along with newly added claims 10-22, are allowable over the art of record.

**CONCLUSION**

Applicant respectfully submits that each and every pending claim of the present invention meets the requirements for patentability, and respectfully requests the Examiner to indicate the allowance of such claims as the Examiner's earliest convenience.

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicant's invention as recited in Claims 1, 3, 6, 7, 9, and 10-22. The applied references have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein is respectfully requested and now believed to be appropriate.

Applicants' undersigned attorney may be reached at (949) 932-3329. All correspondences should be directed to the below-listed address.

Respectfully submitted,

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